

EXHIBIT B
RITA SCHIMPF AFFIDAVIT

AFFIDAVIT

“My name is Rita Schimpff; I am over the age of eighteen, and am capable of providing this statement and affidavit.

“I am providing this statement and affidavit of my own personal knowledge, freely and willingly, as part of a lawsuit filed by the Albert Sidney Johnston chapter, No. 2060 against the City of San Antonio.

“I am a member of the Albert Sidney Johnston chapter No. 2060 since 1995. I have been a board member in the past.

“I have researched the history behind the Travis Park monument at the Municipal Archives and elsewhere. I have conducted research at various libraries, including the Conservation Society, the San Antonio Public Library and at the Scottish Rite temple here in San Antonio.

San Antonio History and the Confederate Memorial

“Attached are newspaper articles I located at the San Antonio Conservation Society library at 107 King William Street here in San Antonio. Two articles date from Feb. 25 and Feb. 26, 1900. Attached as Exhibit 1 are those two articles. The first is dated Feb. 25, 1900. The first page is the article itself, which I found at the San Antonio Conservation Library. The next two pages, marked “B” and “C” in the lower right-hand corner, are a transcript prepared by the Conservation Society. The last page, marked “D” in the lower right-hand corner, is from Feb. 26, 1900.

“In the Feb. 25 article, one of the Aldermen states he would not agree to move the Confederate memorial unless the members of the Daughters of the Confederacy agree. In the Feb. 26, 1900 article, The Confederate veterans referred to the Confederate memorial as belonging to the Daughters of the Confederacy (“their monument”). Attached at Exhibit 1 are true and correct copies of those two articles I located at the Conservation Society library.

“One article is dated 1935-1936. The article from 1935-1936 is about a time when the City of San Antonio was thinking about moving the Confederate memorial to a different location within Travis Park. The idea was to move the Confederate memorial to

one corner of the park, while placing monuments to Texas heroes in the other three corners.

“The 1935-1936 article talks about the ordinance that allows the Daughters to use that land. The article says the ordinance is found in the City minutes, Volume M, page 757. That is the same book I looked at when I saw the ordinance. The article is talking about monuments for the Texas Centennial. The Texas Centennial celebration was in 1936. The 1935-1936 article quotes a Miss Bessie Houston who was daughter to Mrs. A.W. Houston, the president of the Bee chapter when the Confederate memorial was erected. This article is attached at Exhibit 2. Attached to this statement is a true and correct copy of that article.

“There is also attached an accurate copy of an April 23, 1936 article again in which the City was considering placing monuments to Texas heroes at Travis Park. One member of the local advisory group, E.J. Altgelt, said:

“ . . he too had thought of the site [Travis Park], but someone would have to gain permission from the Daughters of the Confederacy to move their monument to a corner of the park. Altgelt suggested three of the Texas hero monuments could be placed in the other corners.”

Schimpff Exhibit 3, San Antonio *Light*, April 23, 1942, p. 1. Attached to that article is an enlarged version which I made and which is an accurate enlargement of the article.

“Also attached is an article dated June 28, 1942 from the San Antonio *Light*. This article mentions Miss Elizabeth Houston who claims the United Daughters of the Confederacy own the Confederate memorial in Travis Park. See Schimpff Exhibit 4. She sent pictures of the dedication of the memorial to the Witte Museum. That suggests she may have been the daughter of Mrs. A.W. Houston, the former president of the Bee chapter. This article is attached as Exhibit 4. Attached to my statement is a true and correct copy of that June 28, 1942 article.

“In the 1950’s the City was considering allowing the construction of a parking garage in Travis Park. The Daughters of the Confederacy opposed moving the Confederate memorial from Travis Park. That possible parking garage led to the lawsuit filed by the Maverick family seeking a return of Travis Park to them. The Maverick family used to own the land that comprises Travis Park. As is mentioned in the 1953

article, the Daughters claimed to own the memorial. Charles M. Dickson, an attorney, represented Voters Recall Movement. This group was opposed to the parking garage. Mr. Dickson said that the City did not own the land that comprises Travis Park and he said the Daughters owned the Confederate memorial, not the City. He even said the people who want to move the memorial should be aware of the penal laws that prohibit theft. This article is attached to my statement as Exhibit 5. Attached to my statement is a true and correct copy of that 1953 article.

March 27, 1899 Ordinance

“On one of my visits to the Municipal Archives in 2017, I located the ordinance dated March 27, 1899 which gives the use of the land in Travis Park to the Daughters of the Confederacy. See attached an accurate copy of that ordinance. The ordinance was actually mis-filed under the wrong name. It was not indexed under Daughters of the Confederacy or under the Barnard Bee chapter. It was indexed under some other name.

“I took pictures of the March 27 ordinance with my cell phone. This was back in 2017 before the ASJ chapter filed a lawsuit or even before we talked about filing a lawsuit. Those pictures are located at Schimpff Exhibit 6. The two pictures are a little fuzzy due to being scanned and printed and copied. Better pictures are found at Schimpff Exhibit 7. Those pictures were taken by the City of San Antonio. The pictures taken by the City are identical to the ordinance I found in 2017.

“The hand-written ordinance says:

“Petition of the Daughters of the Confederacy for permission to erect a monument in Travis park. In this connection Ald. Rheiner introduced the following ordinance:

“Be it ordained by the City Council of the City of San Antonio that permission be and is hereby granted to the Daughters of the Confederacy to use the amount of land petitioned for in the center of said Travis Park and that the City Engineer be hereby ordered to survey and define said plat of land at once.

The ordinance was adopted unanimously.”

“On Sept. 11, 2018, I visited the Municipal Archives again with our lawyer, Thomas Crane. I looked at the ordinance book and the minute books. My understanding from the clerk was that the ordinance book would include ordinances, while the minute book would record minutes of City Council meetings. I looked at the Journal minute book “M” – the same book I saw in 2017. On page 757 is the same ordinance I saw in 2017 and the same ordinance as found at Schimpff Exhibit 6 and 7. The book was marked 1896-1899 on the spine of the book.

“I noticed that according to the minutes of that meeting, the March 27, 1899 meeting, the San Antonio City Council passed four ordinances that day. But, when I looked in Ordinance book “C” which was marked 1895-1900, only one of those ordinances was recorded.

“Then I looked at Journal Book “M” for March 20, 1899. This was the City Council meeting just prior to the March 27 meeting. In looking at the minute entries for the March 20, 1899 meeting, I saw that the City Council passed or approved six ordinances. One of those ordinances was to give some land to the Daughters of the Confederacy for a cemetery. But, of those six ordinances, only five appeared in Ordinance Book “C,” which supposedly applies to the years 1895-1900.

“I looked through Ordinance Book “B” and “D” to see if the missing ordinances might appear. But, those two volumes did not contain any ordinances from 1899. Ordinance Book “B” and “D” were better organized than Book “C.” Ordinance Books “B” and “D” were in good chronological order. Those two books were easier to review. Ordinance Book “C” was more dis-organized. The ordinances were often not in chronological order. There were many ordinances in Book “C” that were dated 1901 and 1902, even though the cover of the book said “1895-1900.”

“In Journal Book “M,” there were some minute entries that recorded a repeal of an ordinance from the prior meeting. But, in looking at the April 3, 1899 meeting, which was the first meeting after the March 27 meeting, there were no repeals of any ordinances.

“I also noticed that the City Council appointed a man named Mr. Trueheart as City Engineer soon after the March 27, 1899 meeting. At the same time, the City Council authorized him to go to Saltillo, Mexico to help Mexico with some project.

“So, to summarize, when I compared the March 20 and 27 City Council meetings, I found the following:

Journal Book “M”	Ordinance Book “C”
March 20, 1899 meeting: passed 6 ordinances	5 ordinances recorded
March 27, 1899 meeting passed 4 ordinances	1 ordinance recorded

It does appear that not all ordinances appear in the Ordinance book for 1895-1900.

Fountain

“In my research of the Bernard E. Bee Chapter UDC, I found the ladies raised money for a large fountain they erected in Alamo Plaza. This fountain was for livestock and was a 10’ wide octagonal bronze fountain depicting the goddess Hebe and set inside a larger concrete trough. During my research at the city archives in 2017, I found two entries in the Minutes & Proceedings of the City Council concerning a drinking fountain in Alamo Plaza the Bernard E. Bee chapter UDC erected and then gave to the city of San Antonio. On page 637 on June 2, 1902, the Bee chapter petitioned for a spot at the north end of Alamo Plaza to erect a drinking fountain and this was passed. On January 12, 1903 page 110-111 the daughters turned over their drinking fountain to the city and ‘said gift was accepted and the council as a whole was appointed a committee to receive said fountain. adopted.’ In my researching many years of the minute books at the city archives, I have never found any entries noting that the UDC gifted the Travis Park confederate memorial as they did the drinking fountain. Attached is a true and correct copy of that Minute entry regarding the fountain.

"I declare under penalty of perjury that the above statement is true and correct. I have been given an opportunity to review this statement and to make any necessary changes."

Signed on October 15, 2018.

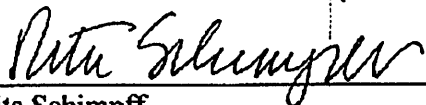

Rita Schimpff

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Exhibit 5 – Nov. 5, 1953, San Antonio *Express*

Exhibit 6 – March 27, 1899 Ordinance, Photos taken by Rita Schimpff

Exhibit 7- March 27, 1899 ordinance, Photos produced by the City of San Antonio

Exhibit 8 – Jan. 12, 1903 Minutes

EXHIBIT 1
FEB. 25 AND 26, 1900, SAN ANTONIO *LIGHT*

2160000

Keywords: child abuse; child sexual abuse; child sexual exploitation

1997

11

100

2001

11

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12

San Antonio Light, Feb. 25, 1900

Vigorous Protests.

Against Erection of Library on Travis Square

Ladies do not want to have confederate monument moved and others also protest Main Avenue side also tabooed

The Carnegie library location continues to be the all absorbing topic throughout the city and in breathless anxiety many are waiting for the report of the special committee of the city Council at tomorrow afternoon's meeting.

The fourth wardens are anxious that the building be located on Main Avenue on the free site offered, but residents of other parts of the city object declaring it too near one side of the city and altogether too far from the center of town, in a place where visitors would never see it, also that the location is too noisy being between to car lines.

There are quite a number who favor Travis park, but many protest against that location, declaring that the parks should not be encroached upon. It suits the 'central location' idea but those who are protesting think a site should be purchased for it. The park is also in a very quiet neighborhood, a thing necessary for a library.

Those who would put it there favor moving the Confederate monument, placing the library building in the center of the park and the monument in front of the building, where they argue, it would be seen by more people in a week than would otherwise behold it in a year.

The ladies object to this however and the gallant Aldermen who voted them permission to erect it there will hardly order it moved now. Alderman Surkey has expressed himself outright on the subject and says that unless agreeable to the ladies he will not vote to remove the monument.

It is not agreeable to the ladies. That is certain, because they held a special meeting yesterday at the residence of Mrs. AW Houston, 303 Pecan St., and protested against any such action. A resolution was passed opposing the erection of

the building in the park -first on account of the monument being there and second, because they believe it will mar the natural beauty of the park, which should be preserved. This resolution will be brought before the city council tomorrow afternoon and, voicing the sentiment of every member of the Daughters of the Confederacy, will carry considerable weight.

The Business Men's club has also filed a resolution with City Clerk Johnson against it and Mrs. Nellie Jameson yesterday filed a protest.

The Business Men's club resolution was passed Friday afternoon and is as follows: "Resolved, that this board strongly opposes the erection of the library building on any of the plazas and parks or squares of this city. The plazas and parks are not only ornamental but are necessary to the good health of the community and every effort should be made to extend their area and absolutely nothing should be allowed to be done which will in any way curtail their usefulness and benefit."

Mrs. Jameson's protest reads as follows: "The undersigned herewith enters a protest against the erection of the library in Travis park, the following reasons; first, that it will be detrimental to the value of my property situated on Travis park, Second, I believe that to establish a precedent of using parks for buildings or other purposes than for which the parks are intended, would soon ruin our park system, of which this city is justly proud. For these and other reasons I believe my protest right and just, and ask that your honorable body will not allow Travis park to be used for the library building."

Not all the Fourth wardens are hearty supporters of the Main avenue site, letting their desire for the common good of the city overcome mercenary desires and many who reside in that part of the city, declare the site is not part of the city, declare the site is not a proper one. Mr. V. P. Brown, of Laurel Heights said when the northern part of the city has no citizen more loyal, when queried about the matter replied that, "the center of the city is the proper place for a library."

ANOTHER PROTEST.

Confederate Vets Don't Want Library In Travis Park.

And still another protest is registered against the use of Travis park as a site for the new public library.

The Confederate Veterans of the city, 110 strong, filed a petition this morning with City Clerk Johnson, reiterating what the Daughters of the Confederacy said at their meeting Saturday and calling upon that body to refuse to allow their monument removed, after having granted permission for its erection on that site several months ago.

The petition reads as follows:
To the Honorable Marshall Hicks,
Mayor, and the City Council of the
City of San Antonio:

We, the undersigned citizens of your city and Confederate Veterans and Sons of Confederate Veterans would hereby respectfully protest against the erection of the Carnegie public library building on Travis park because the city has heretofore granted to Bernard E. Bee, chapter United Daughters of the Confederacy, permission to erect thereon a monument to commemorate the devotion, valor and fidelity of the southern soldiers and these devoted southern women are now so erecting said monument and a building such as is contemplated to be erected, would overshadow and mar the beauty of said monument and we further believe that the remaining public parks and plazas should be left for the usage and purposes for which they were originally intended, and should not be devoted to building purposes. Our parks are attracting attention for their beauty and are constantly used by our people for recreation and pleasure and should continue to be so used.

EXHIBIT 2
1935-1936, SAN ANTONIO *LIGHT*

WOMEN FIGHT REMOVAL OF VET STATUE

Petitions in protest of the removal of the Confederate monument in Travis park to another location were in circulation Tuesday among members of three local chapters of the Daughters of the Confederacy.

Aroused by a proposal outlined by E. J. Altgelt, assistant U. S. Texas Centennial commissioner, to move the monument and place the \$100,000 central memorial provided for by federal funds in its place, members of the chapter were vigorous in their condemnation of the plan.

Mrs. J. B. Needham, president of the Robert E. Lee chapter, declared the plan an outrage.

REMOVAL AN OUTRAGE.

"Most of us are seriously opposed to removal of the monument. It would be an outrage to move it. It has been there so long," she said.

Mrs. George Wurzbach, president of the Albert Sidney Johnston chapter, declared:

"It's a good thing Altgelt hadn't thought of this before. They are really going to have a fight on their hands if they try to move the monument."

Mrs. T. A. Owen, president of the Bernard E. Bee chapter, was also understood to disapprove of the move.

Miss Bessie Houston, resident of the St. Anthony hotel, daughter of the late Mrs. A. W. Houston, president of the Bee chapter at the time of the monument's erection, said:

"I don't want to seem to be standing in the way of progress, but this plan doesn't look fair. My mother and other ladies worked hard to get the monument. Many prominent people attended its unveiling on June 1, 1900.

PROPOSE ALAMO SITE.

"Many who made it possible have passed on. There is more at stake than just moving a monument."

Miss Houston said she believed the proper place for the \$100,000 central memorial would be in Alamo park.

She revealed that the monument cost but \$3000 at the time of its erection. It was designed free, she said, by Miss Virginia Montgomery of New Orleans; sculptured by Frank Teich of Llano, from Llano granite.

Mrs. Florence Haltom, registrar of the Johnston chapter, described removal of the monument as "a crime."

"We old folks just can't do anything about it I guess, but I think it would be a crime and a shame," she said.

STATUE AUTHORIZED.

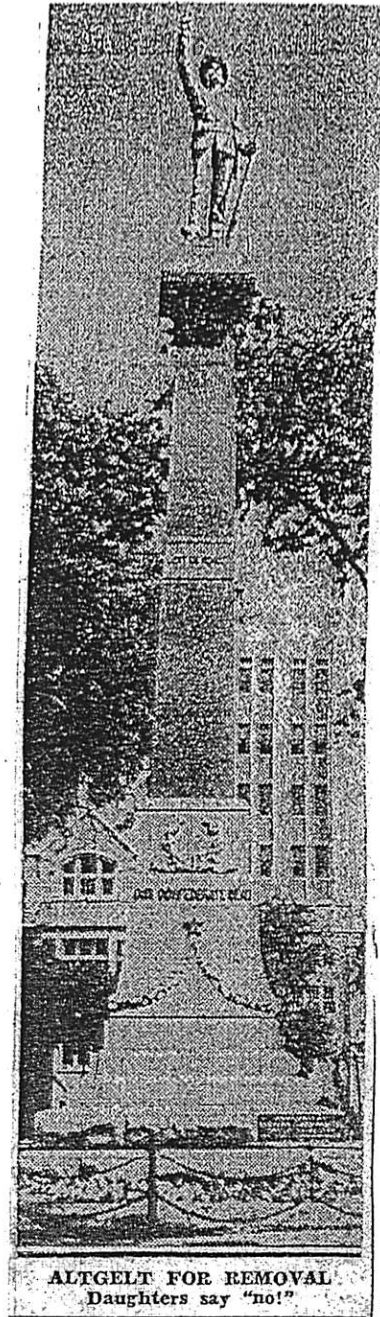
The Bee chapter was granted permission to erect the monument in the park March 27, 1899, by the

board of aldermen during the administration of Mayor Marshall Hicks.

The ordinance granting the permit is on the city minutes, volume M, page 757.

Meanwhile, Altgelt revealed Tuesday that W. B. Yeager, secretary of the U. S. Centennial commission, would arrive here shortly to set up administrative machinery for erection of a stadium, six monuments to Texas heroes, and the central memorial.

Altgelt said it had not been determined where the monuments to the six heroes would be placed.



ALTGELT FOR REMOVAL
Daughters say "no!"

Texas A&M-SA
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ORG-UDC-Bernard E. Bee Ch.

ASJ 00063

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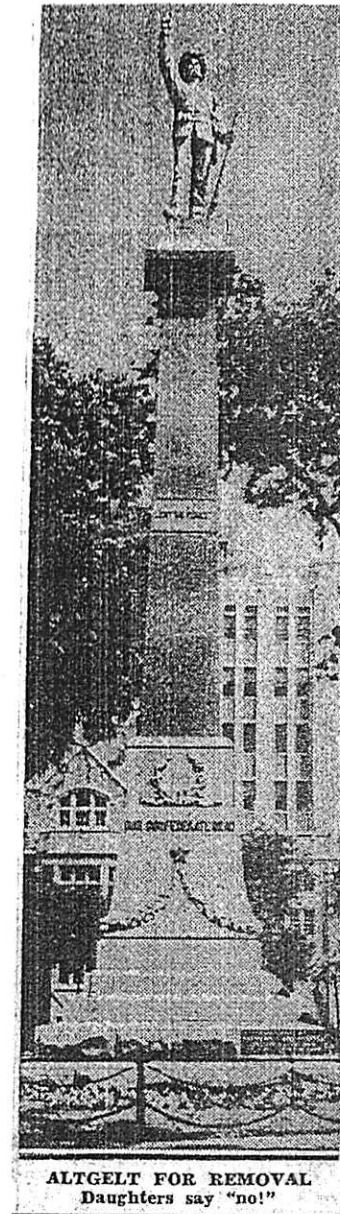
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